

REMARKS

Favorable reconsideration is respectfully requested in view of the following remarks.

I. CLAIM STATUS

In item 1 on page 1 of the Office Action, it is incorrectly indicated that claim 1 is the only pending claim. Instead, claims 1, 3 and 4 are the correct pending claims. Claim 1 has been examined on the merits and stands rejected. Claims 3 and 4 are withdrawn as non-elected subject matter.

II. OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

In item 1 on page 2 of the Office Action, claim 1 was provisionally rejected on the ground of non-statutory above double patenting as being obvious over claims 1, 2, 13 and 14 of co-pending Application No. 10/250,577.

Without intending to acquiesce to this rejection and merely to expedite allowance of the application, Applicants submit herewith a Terminal Disclaimer under 37 C.F.R. § 1.321, which is signed by a registered attorney or record, together with the fee required under 37 C.F.R. § 1.20(d) to overcome the obviousness-type double patenting rejection over co-pending Application No. 10/250,577. The Terminal Disclaimer removes this application as a reference.

Therefore, the double patenting rejection is untenable and should be withdrawn.

III. INFORMATION DISCLOSURE STATEMENT

Kindly consider the reference cited in the IDS filed November 20, 2006 and return an Examiner-initialed copy of the IDS indicating such.

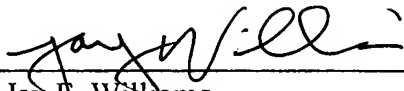
CONCLUSION

Since the attached Terminal Disclaimer overcomes the above-noted obviousness-type double patenting rejection (which is the sole remaining rejection), it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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ATTACHMENTS

1. Terminal Disclaimer